

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

UNITED ASSOCIATES, LTD.,)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:18-cv-00577-MSM-LDA
)	
DAKOTA OUTERWEAR CO.)	
ROBERT CAMERON, DOYLE ROE)	
TERRY ROE, CALIFORNIA)	
SURPLUS INC., AND)	
RAYMIN KOHENBASH, A/K/A)	
RAYMOND KOHEN,)	
Defendants.)	

CONSENT ORDER AND PERMANENT INJUNCTION

WHEREAS, Plaintiff, United Associates, Ltd., (“United”) has caused a certain trademark to be registered in the United States Patent and Trademark Office on the Principal Register, U.S. Reg. No. 4,795,726 issued August 18, 2015 (UNITED JOIN FORCES and Design) (“the Mark”);

WHEREAS, Plaintiff has brought the instant action against, *inter alia*, Defendants Dakota Outerwear Co. (“Dakota”), Doyle Roe, Terry Roe and Robert Cameron (collectively, the “Defendants”) accusing the Defendants of advertising, distributing, and selling in the United States certain products, namely Multicam® APECS Parkas and Pants purchased from California Surplus, Inc. bearing unauthorized copies of the Mark and/or tags bearing the initials (“UJF”) (“the Accused Products”);

WHEREAS, the Defendants deny any and all wrongdoing and liability;

WHEREAS, in order to avoid the need for further costly litigation, Plaintiff and the Defendants (“the Parties”) have stipulated that an Order be issued granting Plaintiff certain permanent injunctive relief,

NOW THEREFORE, it is ORDERED that Defendants and those of their agents, servants, and employees, who receive actual notice of this CONSENT ORDER AND PERMANENT INJUNCTION, are permanently restrained and enjoined from:

- a. Knowingly manufacturing, purchasing, offering to sell, or selling any goods bearing United's registered trademark, U.S. Reg. No. 4,795,726 or any confusingly similar mark which are not genuine United goods;
- b. Knowingly manufacturing, purchasing, offering to sell, or selling any goods bearing tags, labels, or packaging with phrase "United Join Forces" which are not genuine United goods;
- c. Knowingly manufacturing, purchasing, offering to sell, or selling any goods bearing tags, labels, or packaging with the initials "UJF" which are not genuine United goods, unless "UJF" is rightfully included by another trademark rights holder that may use such initials;
- d. Knowingly infringing or diluting United's registered trademark, U.S. Reg. No. 4,795,726;
- e. Knowingly assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (d) above);
- f. Using, applying to register, or maintaining registration of any marks that are confusingly similar to United's registered trademark, U.S. Reg. No. 4,795,726, the phrase, "United Join Forces," or the initials, "UJF."

IT IS FURTHER ORDERED that, to the extent the Defendants are in possession of any Accused Products, the Defendants will destroy the Accused Products. For the avoidance of doubt, the Defendants are authorized by prior agreement of the Parties, to sell any remaining goods purchased from United, which are genuine United goods, as salvage, liquidation, or in a clearance sale, provided, however, that the Defendants shall, prior to such sale, cause any tags, labels or other identifiers that display the Mark or the terms "UNITED," UNITED JOIN FORCES" or "UJF," to be removed, covered, or obscured.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction over the enforcement of, or disputes arising out of, this Permanent Injunction.

IT IS FURTHER ORDERED that in the event any of the Defendants is alleged to have failed to comply with any of the terms of this Permanent Injunction Plaintiffs may pursue any and all remedies it may have against such Defendant including entry of further injunctive relief and damages. The prevailing party shall be entitled to an award of reasonable attorney's fees and costs incurred solely in connection with such continued action contemplated herein.

IT APPEARING that there is no just reason for delay, the entry of this Permanent Injunction constitutes entry of a separate and final judgment pursuant to Fed. R. Civ. P. 54(b), and all claims asserted in this action by Plaintiff against the Defendants are hereby dismissed with prejudice. The Parties shall each bear their own costs and attorney's fees. Signatures transmitted electronically or by facsimile shall be deemed original.

Plaintiff,
United Associates, Ltd.,
By its Counsel,

/s/ David E. Maglio
David E. Maglio, #3459
The Owen Building
101 Dyer Street, Second Floor
Providence, RI 02903
(401) 831-5400
dmaglio@magliolaw.com

Respectfully submitted,

Defendant,
Dakota Outerwear Co.,
By its Counsel,

/s/ Kara Thorvaldsen
Kara Thorvaldsen, #7241
Kara.Thorvaldsen@wilsonelser.com
Wilson Elser LLP
260 Franklin Street, 14th Floor
Boston, MA 02110
617-422-5300

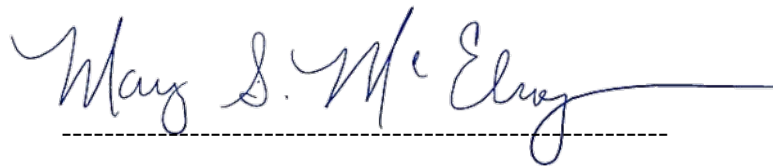
Adam R. Bialek (admitted *pro hac vice*)
Adam.Bialek@wilsonelser.com
Wilson Elser LLP
150 East 42nd Street
New York, NY 10017
212-490-3000

Defendant,
Robert Cameron,
By his Attorneys,

Defendants,
Doyle Roe and Terry Roe,
By their Attorneys,

/s/ Christopher R. Blazejewski
Christopher R. Blazejewski #7549
Sherin and Lodgen, LLP
101 Federal Street
Boston, MA 02110
617-460-0019
Email: cblazejewski@sherin.com

/s/ C. Alex Chiulli
C. Alex Chiulli #9139
Barton Gilman LLP
One Financial Plaza
18th Floor
Providence, RI 02903
401-273-7171
Fax: 401-279-2904
Email: achiulli@bglaw.com

A handwritten signature in blue ink, reading "Mary S. McElroy", with a long horizontal flourish extending to the right. Below the signature is a dashed line.

Mary S. McElroy
United States District Judge
Date: June 9, 2021

CERTIFICATE OF SERVICE

I, Kara Thorvaldsen, certify that the foregoing document has been served on registered participants on this date via the Court's ECF system, as set forth below:

Adam R. Bialek adam.bialek@wilsonelser.com

Carl A. Chiulli achiulli@bglaw.com, mbenner@bglaw.com, nrodriguez@bglaw.com

Cathy Fleming cfleming@flemingruvoldt.com

Christopher R. Blazejewski cblazejewski@sherin.com

David E. Maglio dmaglio@magliolaw.com, dgianq@magliolaw.com,
tmchugh@magliolaw.com

Eve J. Brown ebrown@bglaw.com

Gina A. DiCenso ginadicenso@verizon.net

Mark W. Freel mark.freel@lockelord.com, elizabeth.kula@lockelord.com,
janice.hadden@lockelord.com, julie.robert@lockelord.com,
laura.verdecchia@lockelord.com

A copy will be served by first class mail, postage prepaid, on any non-registered participants.

/s/ Kara Thorvaldsen